

EXHIBIT 42

FILED UNDER SEAL

HENRY MIROLYUZ - 01/11/2019

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF MINNESOTA

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6 FAIR ISAAC CORPORATION, a X
Deleware corporation

7 Plaintiff(s)

8

9 -vs- X CASE NO. 16-cv-1054
(WMW/DTS)

10 FEDERAL INSURANCE COMPANY, an
Indiana corporation, and ACE
11 AMERICAN INSURANCE COMPANY, a
Pennsylvania corporation

12 Defendant(s) X

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16 DEPOSITION OF HENRY MIROLYUZ

17

18 DATE: JANUARY 11, 2019

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HELD AT:

20 HUSEBY - CONNECTICUT
249 Pearl Street
21 Hartford, Connecticut

22

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24 Dawn C. Mahoney, LSR #142

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<p style="text-align: right;">Page 26</p> <p>1 A Service Business Unit.</p> <p>2 Q Okay. And then do you know what "CAH"</p> <p>3 stands for?</p> <p>4 A CAH, Canadian Accident and Health.</p> <p>5 Q And on the third line is -- and Canadian</p> <p>6 Accident and Health, does that -- do you understand</p> <p>7 that to mean that the Adapt ABL is an application that</p> <p>8 is run in Canada?</p> <p>9 A Correct.</p> <p>10 Q Okay. And then we have CAH NEU Adapt, and</p> <p>11 you understand that that is -- that application called</p> <p>12 Adapt is also run in the European zone?</p> <p>13 A I cannot answer this one way or another.</p> <p>14 Q Okay.</p> <p>15 A Because I'm not familiar with that</p> <p>16 abbreviation, "CAH NEU."</p> <p>17 Q Fair enough. The top three lines have Blaze</p> <p>18 version Blaze Advisor 7.1 listed. Do you interpret</p> <p>19 that as saying that Blaze Advisor 7.1 is the version</p> <p>20 being used for Adapt ABL and Adapt?</p> <p>21 A Correct.</p> <p>22 Q And then in red -- and then you see the next</p> <p>23 three entries in red with different Blazer Advisor</p> <p>24 versions. Do you have any understanding of what the</p> <p>25 red designates?</p>	<p style="text-align: right;">Page 28</p> <p>1 showed you. I'd like to direct my questions to the</p> <p>2 second to the last line where it says "EUZ" and then</p> <p>3 "Exari Pilot." Do you see where I'm saying?</p> <p>4 A Yeah.</p> <p>5 Q Do you know what the application Exari Pilot</p> <p>6 is?</p> <p>7 A I do not.</p> <p>8 Q The document itself says it's running on</p> <p>9 Blaze Advisor version 7.1. Do you agree?</p> <p>10 A Yes, according to the table.</p> <p>11 Q According to the table. Okay. Do you find</p> <p>12 in that nicely organized stack the second exhibit, the</p> <p>13 30(b)(6)?</p> <p>14 A This one?</p> <p>15 Q Yes, sir. If you would go to Topic 15,</p> <p>16 which is on page 8.</p> <p>17 A Because mine ends on page 7.</p> <p>18 Q How can that be? Can I see it?</p> <p>19 A Sure.</p> <p>20 Q Got it. Let's go to page 5, Topic 15, and</p> <p>21 you'll see, just to set the table, Topic 15 is any</p> <p>22 assistance by FICO, including identification of the</p> <p>23 FICO employees in the installation of Blaze Advisor</p> <p>24 software on servers located outside of the United</p> <p>25 States, including, but not limited to, the United</p>
<p style="text-align: right;">Page 27</p> <p>1 A Red designate that we are behind the current</p> <p>2 version. So 7.1 is the current version. That</p> <p>3 particular application could be using version which is</p> <p>4 behind the current one.</p> <p>5 Q Okay. SO then we go down the remainder of</p> <p>6 that column, we would have the same answers to those</p> <p>7 questions: When it's in black, that's the version</p> <p>8 that is being used, and when it's in red, it</p> <p>9 designates that the version being used is behind the</p> <p>10 most recent version?</p> <p>11 A Correct.</p> <p>12 Q All right. And then there are the entries</p> <p>13 with cross-throughs?</p> <p>14 A Yes.</p> <p>15 Q Do you know what those mean?</p> <p>16 A The cross-through mean the application has</p> <p>17 been upgraded to more recent version. At some point</p> <p>18 it was behind Blaze Advisor 6.9 and now it's Blaze</p> <p>19 Advisor 7.1.</p> <p>20 Q Thank you.</p> <p>21 (Plaintiff's Exhibit 187 marked for</p> <p>22 identification.)</p> <p>23 Q I'm now giving you Exhibit 187, October 9,</p> <p>24 2013. And if you go to the table at the back, you'll</p> <p>25 see that it's very similar to the table that I just</p>	<p style="text-align: right;">Page 29</p> <p>1 Kingdom, Canada, and Australia. This is one of the</p> <p>2 topics you've been designated to testify.</p> <p>3 MR. FLEMING: I'd like to just raise at</p> <p>4 this time, at the prior deposition, beginning on</p> <p>5 page 36 and continuing through page 57, you asked</p> <p>6 questions of Mr. Mirolyuz about that exact topic.</p> <p>7 We're going to object to any questions in which</p> <p>8 you are simply repeating the same question where</p> <p>9 he's already responded to that.</p> <p>10 MR. FLEMING: Well, then raise your</p> <p>11 objection when you wish.</p> <p>12 Q So Mr. Mirolyuz, we talked about the</p> <p>13 assistance, this topic of the assistance of FICO in</p> <p>14 the installations outside of the United States before.</p> <p>15 My understanding is that you do not have any</p> <p>16 firsthand knowledge of FICO personnel assisting in the</p> <p>17 installation of Blaze Advisor outside of the United</p> <p>18 States, correct?</p> <p>19 A Correct.</p> <p>20 Q Have you done anything to prepare yourself</p> <p>21 to testify to this topic today giving us the knowledge</p> <p>22 of the corporation?</p> <p>23 A I reviewed the e-mails, reviewed the</p> <p>24 information which was available to me, as well as I</p> <p>25 had discussion with the CHUBB employees.</p>

<p style="text-align: right;">Page 30</p> <p>1 Q Which CHUBB employees?</p> <p>2 A I spoke in the past with --</p> <p>3 MR. FLEMING: Objection; asked and</p> <p>4 answered at the last deposition.</p> <p>5 MR. HINDERAKER: Go ahead.</p> <p>6 THE WITNESS: I spoke with Miranda</p> <p>7 Chang, I spoke with Ramesh Pandey, and I spoke --</p> <p>8 as part of the people that I can remember -- and</p> <p>9 I spoke with Zorica Todorovic.</p> <p>10 Q Did you speak with anybody -- that was in</p> <p>11 the past. Did you speak with anybody to prepare</p> <p>12 yourself for your testimony on Topic 15 today?</p> <p>13 A I spoke with Zorica Todorovic to prepare on</p> <p>14 topic today.</p> <p>15 Q So spoke with that person again?</p> <p>16 A Yes.</p> <p>17 Q Anyone else?</p> <p>18 A No.</p> <p>19 Q Based upon that, can you identify any person</p> <p>20 from FICO that assisted in the installation of Blaze</p> <p>21 Advisor in the UK?</p> <p>22 MR. FLEMING: Objection; asked and</p> <p>23 answered in the last deposition.</p> <p>24 MR. HINDERAKER: Go ahead.</p> <p>25 THE WITNESS: I cannot identify those.</p>	<p style="text-align: right;">Page 32</p> <p>1 A I believe I did.</p> <p>2 Q You believe you did?</p> <p>3 A Yes.</p> <p>4 Q Do you recall when?</p> <p>5 A I don't recall the exact date.</p> <p>6 Q Same questions with respect to installations</p> <p>7 in Canada.</p> <p>8 A Again, I did -- yes, I did. And I do not</p> <p>9 recall the exact date.</p> <p>10 Q So again, there's no individual person at</p> <p>11 FICO that you know of that assisted in the</p> <p>12 installation?</p> <p>13 A No.</p> <p>14 Q To your knowledge, who do you -- did anybody</p> <p>15 tell you -- as opposed to your assumptions, did</p> <p>16 anybody tell you that Canadian CHUBB representatives</p> <p>17 placed tickets at the help desk?</p> <p>18 A My conversations in the past with Tony Zahn,</p> <p>19 who was the architect for the Canadian zone, that they</p> <p>20 opened the ticket.</p> <p>21 Q Okay. The same question with respect to</p> <p>22 Australia.</p> <p>23 A I did not work with Australia or was not</p> <p>24 engaged by anybody in Australia regarding the use of</p> <p>25 Blaze.</p>
<p style="text-align: right;">Page 31</p> <p>1 They dealt with the help desk support and they</p> <p>2 would raise the tickets. So they did not -- that</p> <p>3 worked generically as FICO. Mike Sawyer would be</p> <p>4 the contact person for me in case any additional</p> <p>5 assistance would be needed.</p> <p>6 Q Do you recall yourself contacting or</p> <p>7 engaging Mike Sawyer and yourself?</p> <p>8 A I did.</p> <p>9 Q And when was that?</p> <p>10 A That's during the -- between 2010 and 2014</p> <p>11 if my memory serves me correctly.</p> <p>12 Q Okay. Tell me about your contacts with Mike</p> <p>13 Sawyer.</p> <p>14 A I got informed by developers that there was</p> <p>15 an issue and they need to be resolved quickly. So I</p> <p>16 would just make him aware. Because as a client</p> <p>17 representative of FICO, he has an influence to</p> <p>18 expedite the request to go to the help desk.</p> <p>19 Q Is it fair to say that you advised Mike</p> <p>20 Sawyer making him aware that people in the UK were</p> <p>21 reaching out to the help desk for help?</p> <p>22 A Correct. In the UK or U.S. That was normal</p> <p>23 part of my working relationship with him.</p> <p>24 Q Do you recall specifically reaching out to</p> <p>25 Mike Sawyer specific to install issues in the UK?</p>	<p style="text-align: right;">Page 33</p> <p>1 Q Okay. So you don't know the answer to that</p> <p>2 one way or the other?</p> <p>3 A I don't, yeah.</p> <p>4 Q Your understanding after speaking with these</p> <p>5 people, let me see if it I have clear, is that CHUBB</p> <p>6 representatives in the UK, CHUBB representatives in</p> <p>7 Canada use the internal CHUBB website to download</p> <p>8 Blaze Advisor on their respective servers?</p> <p>9 A Not correct. Not to the respective desktop</p> <p>10 or laptops or virtual machines.</p> <p>11 Q All right. To download Blaze Advisor</p> <p>12 software on their respective laptops or their</p> <p>13 respective servers, whichever --</p> <p>14 A We do not download software from the website</p> <p>15 to the server. It would always be downloaded to the</p> <p>16 personal workstation.</p> <p>17 Q And then how does it get to the servers?</p> <p>18 Let's say that CHUBB has servers in Toronto. How does</p> <p>19 it get to those servers?</p> <p>20 A Blaze itself is never installed on the</p> <p>21 server. It gets deployed as part of the application.</p> <p>22 Q Let's just take an application that's</p> <p>23 running to support the insurance sales in Europe.</p> <p>24 Let's call the application Evolution.</p> <p>25 A Correct.</p>